

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

TIMOTHY WHALEN,

Petitioner,

vs.

DON ROPER,

Respondent.

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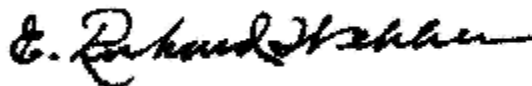
Case No. 4:03CV1092 ERW  
(FRB)

**CERTIFICATE OF APPEALABILITY**

In accordance with the Memorandum and Order of this Court filed on this date and  
incorporated herein,

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that Petitioner is  
**DENIED** a Certificate of Appealability.

Dated this 11th day of August, 2006.



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E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE